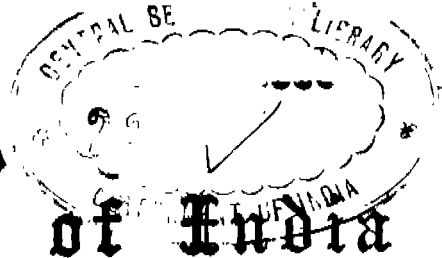


The Gazette



of India



PUBLISHED BY AUTHORITY

No. 16] NEW DELHI, SATURDAY, APRIL 21, 1956

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 14th April, 1956 :—

Issue No.	No. and date	Issued by	Subject
106	S.R.O. 828, dated the 9th April, 1956.	Ministry of Commerce and Industry.	Declaration of drugs to be an essential commodity for the purposes of the Essential Commodities Act, 1955.
	S.R.O. 829, dated the 9th April, 1956.	Ministry of Health	The powers to make orders in relation to drugs shall be exercisable by the State Government of Uttar Pradesh.
107	S.R.O. 830, dated the 7th April, 1956.	Election Commission, India.	Amendment made in the notification No. 429/25/56, dated the 14th February, 1956.
	S.R.O. 831, dated the 7th April, 1956.	Ditto	Amendment made in the notification No. 62/25/51-Elec. II (2), dated the 22nd November, 1951.
108	S.R.O. 832, dated the 9th April, 1956.	Government of Ajmer (Local Self Government Department).	The members of the Beawar Municipal Committee shall cease to hold office from 11th April, 1956.
	S.R.O. 833, dated the 9th April, 1956.	Ditto	The Beawar Municipal Committee shall consist of 3 nominated members from 12th April, 1956.

Issue No.	No and date	Issued by	Subject
	S.R.O. 834, dated the 9th April, 1956.	Government of Ajmer (Local Self Government Department)	Constitution of the Beawar Municipal Committee by the 3 nominated members.
	S.R.O. 835, dated the 9th April, 1956.	Ditto . . .	Nomination of Chairman of the Beawar Municipal Committee.
	S.R.O. 836, dated the 9th April, 1956.	Ditto . . .	Appointment of expert advisers to the Beawar Municipal Committee.
	S.R.O. 837, dated the 9th April, 1956.	Ditto . . .	Extension of the date for receiving objections or suggestions in respect of notification No. 1/8/55-LSG, dated 3rd March 1956.
109	S.R.O. 877, dated the 11th April, 1956.	Ministry of Finance (Revenue Division).	Amendment made in the notification No. 45-Customs, dated the 12 h May, 1954.
110	S.R.O. 878, dated the 9th April, 1956.	Election Commission, India.	Proposals for amendment of the Delimitation Commission's Final order No. 9.
111	S.R.O. 879, dated the 11th April, 1956.	Ministry of Commerce and Industry.	Amendment made in the notification No. S.R.O. 248, dated the 25th January, 1955.
	S.R.O. 880, dated the 11th April, 1956.	Ditto . . .	Declaration of application of as action in regard to Turmeric in the whole of territories to which the Forward Contracts (Regulation) Act, 1952, extends.
	S.R.O. 881, dated the 11th April, 1956.	Ditto . . .	Recognition of the Spices and Oilseeds Exchange Limited, Sangli in respect of forward contracts in Turmeric.
112	S.R.O. 882, dated the 11th April, 1956.	Election Commission, India.	Proposals for amendment of the Delimitation Commission's Final Order No. 19.
113	S.R.O. 883, dated the 12th April, 1956.	Ditto . . .	Proposals for amendment of the Delimitation Commission's Final Order No. 17.
114	S.R.O. 884, dated the 12th April, 1956.	Ministry of Information and Broadcasting.	Certification of a film to be of the description specified therein.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****MINISTRY OF LAW***New Delhi-2, the 10th April 1956*

S.R.O. 888 [Contracts/Am(5)].—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Law No. S.R.O. 3442, dated the 2nd November, 1955, relating to the execution of contracts and assurance of property, namely:—

In the said notification, in Part XVIII, which relates to the Ministry of Production, in item 6, after the words "*by the Chief Executive Officer, Lignite Investigations, Madras*", the words "*or the General Superintendent, Lignite Investigations, Neiveli*" shall be added.

[No. F.25(4)/55G.]

V. S. JETLEY, Dy. Secy.

MINISTRY OF HOME AFFAIRS*New Delhi-2, the 10th April 1956*

S.R.O. 889.—In exercise of the powers conferred by section 17 of the Indian Arms Act (XI of 1878), the Central Government hereby makes the following further amendments in the Indian Arms Rules, 1951, namely:—

In the said rules after rule 41-A, the following rule shall be inserted, namely:—

"41-B. *Recording of reasons for refusal, cancellation or suspension of a licence and their communication in certain cases.*

(1) An authority

(a) refusing to grant or renew a licence or to grant his previous sanction to such grant or renewal under rule 41(1)(a) of these rules; or

(b) cancelling or suspending a licence under clause (a) of section 18 of the Act,

shall record in writing his reasons for such refusal or cancellation or suspension.

(2) A copy of the reasons so recorded shall be furnished on request to the person affected unless the said authority considers the disclosure of such reasons prejudicial to public interest. In the latter case the reasons recorded shall be communicated to the appellate authority on demand, if the person affected has preferred an appeal against the order."

[No. 9/76/51-Police(IV).]

J. N. DHAMIJA, Dy. Secy.

New Delhi-2, the 10th April 1956

S.R.O. 890.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following further amendments in the rules published with the notification of the Government of India in the late Home Department No. F. 9-19/30-Ests, dated the 27th February, 1932, namely:—

In the Schedule to the said Rules, under the heading "Ministry of Rehabilitation", for the entries relating to sub-headings "Office of the Chief Settlement Commissioner, New Delhi" "Offices of Regional Settlement Commissioners" and "Offices of Superintending Valuation Officer (urban)/and Valuation Officers", the following entries shall be substituted namely:—

"Office of the Chief Settlement Commissioner, New Delhi."

Class III	Joint Chief Settlement Commissioner.	Joint Chief Settlement Commissioner.	All	Chief Settlement Commissioner.
Class IV	Assistant Settlement Commissioner (A).	Assistant Settlement Commissioner (A).	All	Joint Chief Settlement Commissioner

“Offices of the Regional Settlement Commissioners/Settlement Officers/Assistant Settlement Officers”

Class III & Class IV	Regional Settlement Commissioner.	Regional Settlement Commissioner.	All	Chief Settlement Com- missioner.
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“Office of the Valuation Officers (Urban)”

Class III & Class IV	Valuation Officer (Urban).	Superintending Valua- tion Officer (Urban).	(i) to (v)	Chief Settlement Com- missioner.
		Joint Chief Settlement Commissioner.	All	Chief Settlement Com- missioner.

[No. 7/7/55-Ests. (A).]

K. THYAGARAJAN, Under Secy.

New Delhi-2 the 10th April 1956

S.R.O. 891.—The following Order made by the President is published for general information.

ORDER

In pursuance of clause (3) of Article 77 of the Constitution of India, the President is pleased to direct the following changes in the allocation of business, namely:—

(1) The Ministry of Natural Resources and Scientific Research will, in addition to the subjects at present allotted to it, also deal with the subject:

“The setting up of an oil refinery by any company that may be formed for the exploration and development of new oil bearing areas in Assam.”

(2) The Ministry of Production will continue to deal with the setting up of oil refineries other than the one allotted to the Ministry of Natural Resources and Scientific Research.

(Sd.) RAJENDRA PRASAD,
President of India.

The 15th March 1956.

[No. 3/5/56-Public.I.]
A. V. PAI, Secy.

New Delhi-2, the 16th April 1956

S.R.O. 892.—In exercise of the powers conferred by Entry 3(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify

1. Rajkumar Shri Kanaksinhji,
2. Rajkumar Shri Jaswantsinhji,
3. Rajkumar Shri Vikramsinhji,

sons of the Ruler of Vala, for purposes of that entry, and directs that the exemption shall be valid only in respect of one gun or rifle and one pistol or revolver.

[No. 16/9/56-Police. IV.]
C. P. S. MENON, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

CORRIGENDUM

New Delhi-3, the 16th April 1956

S.R.O. 893.—Please substitute the following paragraph for the existing paragraph 4 of this Ministry's notification No. S.R.O. F.10-103/55-GP/FJA-4(1), dated the 2nd January 1956, regarding grant of salaries and allowances to the members of the Representative Assembly of Pondicherry State:

"4. There shall be paid to a member elected from Mahe, Yanam, Karaikal and the Pondicherry Communes situated outside the Municipal limits of Pondicherry in respect of every journey performed by him for the purpose of attending a session of the Assembly or a meeting of a Committee thereof, from his actual place of residence to the place where the session or the meeting is to be held and for the return journey from such place to his actual place of residence travelling allowance at the following rates, namely:—

- (a) if the journey is performed by rail, an amount equal to one fare for the first class or other class (excluding the air-conditioned class) actually availed of by the cheapest route plus twelve pies per mile as an allowance for incidental expenses;
- (b) if the journey is performed by road, an allowance at the rate of annas eight per mile;

Provided that the total amount of the travelling allowance shall in no case exceed the amount to which the member would be entitled for any journey between his usual place of residence and the place where a session of the Assembly or a meeting of a Committee thereof is held."

[No. F.10-103/55-GP/FJA-4(1).]

M. M. KHURANA, Under Secy.

MINISTRY OF FINANCE

New Delhi, the 12th April 1956

S.R.O. 894.—In exercise of the powers conferred by the proviso to article 309 and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148, of the Constitution, the President, after consultation with the Comptroller and Auditor General as regards the persons referred to above, hereby directs that the following further amendments shall be made in the Revised Leave Rules, 1933, namely:—

In the said Rules—

I. For rule 9, the following rule shall be substituted, namely:—

"9. (1) The earned leave admissible to an officer in permanent employ is—

(a) to an officer in Class I, Class II or Class III Service—one-eleventh of the period spent on duty,

(b) to an officer in Class IV service—

(1) One-twenty-second of the period spent on duty during the first ten years of service;

(2) One-sixteenth of the period spent on duty during the next ten years of service; and

(3) One-eleventh of the period spent on duty thereafter:

Provided that an officer will cease to earn such leave when the earned leave due amounts to—

(i) 180 days in the case of an officer in Class I, Class II or Class III Service;

(ii) in the case of an officer in Class IV Service—

(1) 60 days during the first ten years of service;

(2) 90 days during the next ten years of service; and

(3) 180 days thereafter.

Exception.—The earned leave admissible to an officer of non-Asiatic domicile recruited in India who is in continuous service from a date prior to the 1st

February, 1949 and is entitled to leave passages, is one-seventh of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 180 days.

(2) Subject to the provisions of sub-rules (1) and (3) of this rule, the maximum earned leave that may be granted at a time to an officer employed in India shall be 120 days [or 150 days in the case of an officer mentioned in the exception to sub-rule (1) of this rule].

(3) Earned leave may be granted to an officer in Class I or Class II Service or to an officer mentioned in the exception to sub-rule (1) of this rule exceeding a period of 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Diu, Goa, Nepal and Pakistan:

Provided that where earned leave exceeding a period of 120 days or 150 days, as the case may be, is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limits."

II. In rule 10—

(a) in sub-rule (c), for the words and figure "shall not exceed the limits laid down in the first proviso to rule 9, or under the exception thereto, as the case may be", the words and figure "shall not exceed the amount of earned leave due and admissible to the officer at a time under rule 9" shall be substituted;

(b) In the proviso for the figures and word "180 days", the figures and word "240 days" shall be substituted.

III. In rule 11—

(a) in clauses (i) and (iii) of sub-rule (c), for the figures and word "180 days", the figures and word "240 days" shall be substituted;

(b) for sub-rule (d), the following sub-rule shall be substituted, namely:—

"Save in the case of leave preparatory to retirement, leave not due may be granted to an officer in permanent employ for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the officer may earn subsequently."

2. These amendments shall be deemed to have come into force on the 12th September, 1955.

[No. F.7(37)-Est.IV/55.]

J. C. SEN, Dy. Secy.

New Delhi, the 12th April 1956

S.R.O. 895.—In exercise of the powers conferred by the proviso to article 309 and after consultation with the Comptroller and Auditor General as required by clause (5) of article 148 of the Constitution, the President hereby directs that the following further amendment shall be made in the General Provident Fund (Central Services) Rules, namely:—

In the said rules, in the first line of sub-rule (1) and in the second line of sub-rule (4) of rule 21, for the words "three months", the words "six months" shall be substituted.

[No. F.29(1)-E.V./56.I.]

S.R.O. 896.—In exercise of the powers conferred by the proviso to article 309 and after consultation with the Comptroller and Auditor General as required by clause (5) of article 148 of the Constitution, the President hereby directs that the following further amendment shall be made in the Contributory Provident Fund Rules (India), namely:—

In the said rules, in the first line of sub-rule (1) and in the second line of sub-rule (4) of rule 19, for the words "three months", the words "six months" shall be substituted.

[No. F.29(1)-E.V./56.II.]

Department of Revenue and Expenditure*New Delhi, the 14th April 1956*

S.R.O. 897.—In exercise of the powers conferred by the proviso to article 309 and after consultation with the Comptroller and Auditor General as required by clause (5) of article 148 of the Constitution, the President hereby directs that the following further amendment shall be made in the General Provident Fund (Central Services) Rules, namely:—

In rule 24 of the said rules, in clause (i) of sub-rule (1) and in the proviso to sub-rule (2), for the words and figures "the provisions of sub-rules (4) of rule 21 applicable to a failure to assign and deliver a policy shall apply", the following words and figures shall be substituted, namely:—

"the provisions of rule 28 shall apply as they apply in relation to cases where money withheld or withdrawn from the Fund under clause (a) or clause (b) of rule 17 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal."

[No. F.26(2)-EV/55-I.]

S.R.O. 898.—In exercise of the powers conferred by the proviso to article 309 and after consultation with the Comptroller and Auditor General as required by clause (5) of article 148 of the Constitution, the President hereby directs that the following further amendment shall be made in the Contributory Provident Fund Rules (India), namely:—

In rule 21 of the said rules, in clause (i) of sub-rule (1) and in the proviso to sub-rule (2), for the words and figures "the provisions of sub-rule (4) of rule 19 applicable to a failure to assign and deliver a policy shall apply", the following words and figures shall be substituted, namely:—

"the provisions of rule 22-A shall apply as they apply in relation to cases where money withdrawn from the Fund under clause (a) or clause (b) of rule 15 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal."

[No. F.26(2)-EV/55-II.]

K. S. GANAPATI, Dy. Secy.

(Department of Economic Affairs)**Office of the Treasurer of Charitable Endowments for India****CORRIGENDUM***New Delhi, the 10th April 1956*

S.R.O. 899.—In the list of properties and the list and abstract account of securities held by the Treasurer of Charitable Endowments for India for the year 1954-55, published in the Gazette of India, Part II, Section 3, dated the 25th June, 1955—

On page 1085.—In column 29 against Case No. 2 under "West Bengal" for "1,688 14 O (A)" read "1,668 14 O (A)".

[No. F.1(21)-F.I-TCE/55.]

G. SWAMINATHAN,

Treasurer of Charitable Endowments for India.

(Communications Division)*New Delhi, the 9th April 1956*

S.R.O. 900.—In exercise of the powers conferred by section 6 of the Post Office National Savings Certificates Ordinance, 1944 (No. XLII of 1944), the Central Government is pleased to direct that the following further amendment

shall be made in the Post Office National Savings Certificates Rules 1944, namely:—

In the heading to rule 'N' of the said Rules the words "and facility for Central Registration in Central areas" shall be omitted.

[No. 1553-C3/PT/56.]

S. VISVANATHAN, Dy. Secy.

(Department of Company Law Administration)

New Delhi, the 11th April 1956

S.R.O. 901.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 448 of the Companies Act, 1956 (I of 1956), the Central Government hereby appoints the Registrar of the Court of Judicial Commissioner, for Tripura, *ex-officio*, to be the Official Liquidator attached to that Court, as a part-time officer.

[No. 2(4)-CL-III/56.]

S.R.O. 902.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 448 of the Companies Act, 1956 (I of 1956), the Central Government hereby appoints the Deputy Registrar of the High Court of Andhra, *ex-officio*, to be the Official Liquidator attached to that Court, as a part-time officer.

[No. 2(4)-CL-III/56.]

S.R.O. 903.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 448 of the Companies Act, 1956 (I of 1956), the Central Government hereby appoints the Deputy Registrar of the High Court of Mysore, *ex-officio*, to be the Official Liquidator attached to that Court, as a part-time officer.

[No. 2(6)-CL-III/56.]

SHIV CHARAN SINGH, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 9th April 1956

S.R.O. 904(55/55/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government is pleased to appoint.

- (a) Shri V. Sundaramurthy Mudaliar to be a Commissioner of Income-tax with effect from the 29th day of March, 1956 (forenoon); and
- (b) Shri M. E. Rehman to be a Commissioner of Income-tax with effect from the 27th day of March, 1956 (forenoon).

[No. 23.]

S.R.O. 905(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Government is pleased to appoint Shri J. P. Singh as Commissioner of Income-tax from the forenoon of the 2nd day of April, 1956.

[No. 26.]

B. V. MUNDKUR, Under Secy.

CUSTOMS

New Delhi, the 21st April 1956

S.R.O. 906.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), as in force in India and as applied to the State of

Pondicherry, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 176-Customs, dated the 29th October 1955, namely:—

In the Schedule annexed to the said notification, after entry No. 3, the following entry shall be inserted, namely:—

“4.	77(\$)	Step and Repeat Machines	15 3/4 per cent <i>ad valorem</i>	5 1/4 per cent <i>ad valorem</i>
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[No. 16.]

E. S. KRISHNAMOORTHY, Joint Secy.

CORRIGENDUM

CENTRAL EXCISES

New Delhi, the 13th April 1956

S.R.O. 907.—In the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 43-Central Excises, dated the 27th August, 1955, (S.R.O. No. 1827) published at pages 1670—1671 of the Gazette of India, Part II, Section 3 of the 27th August, 1955 for “Rule 140” occurring in line 3 of rule 171, read “rule 40”.

[No. F.40/23/56-CX.]

M. P. ALEXANDER, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 9th April 1956

S.R.O. 908(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri V. Sundaramurthy Mudaliar who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the States of Mysore, Travancore-Cochin & Coorg and the area known as Fort Cochin in the Malabar District of the State of Madras:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Mudaliar shall be designated as Commissioner of Income-tax, Mysore, Travancore-Cochin and Coorg.

This notification shall be deemed to have taken effect from the forenoon of the 29th March, 1956.

[No. 24.]

S.R.O. 909(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri M. E. Rehman who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the States of Punjab, Pepsu, Himachal Pradesh, Jammu and Kashmir.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Rehman shall be designated as Commissioner of Income-tax, Punjab, Pepsu, Himachal Pradesh, Jammu and Kashmir.

This notification shall be deemed to have taken effect from the forenoon of the 27th day of March, 1956.

[No. 25.]

New Delhi, the 10th April 1956

S.R.O. 910(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), and in supersession of its notification S.R.O. 2854 (No. 50-Income-tax dated the 31st August, 1954) the Central Board of Revenue hereby directs that Shri Pyarelal Aggarwal, a Commissioner of Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the State of Madras except the area known as Fort Cochin in the Malabar District:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Aggarwal shall be designated as Commissioner of Income-tax, Madras.

This notification shall be deemed to have taken effect from the forenoon of the 2nd day of April, 1956.

[No. 27.]

S.R.O. 911(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in supersession of its notification (No. 18-Income-tax dated the 17th March, 1956), the Central Board of Revenue hereby directs that with effect from the afternoon of the 31st March, 1956 Shri V. V. Subramanian, a Commissioner of Income-tax shall perform—

- (i) as Commissioner of Income-tax, West Bengal, all the function of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles and Districts in the State of West Bengal, specified in column 1 of the table below; and
- (ii) as Commissioner of Income-tax, Calcutta, all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such income or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circle and Districts in the State of West Bengal, specified in column 2 of the said table.

TABLE

<i>West Bengal</i>	<i>Calcutta</i>
1. Companies District I, Calcutta.	1. Companies District II, Calcutta.
2. Companies District III, Calcutta	2. Companies District IV, Calcutta.
3. Midnapur-Bankura	3. District III (2), Calcutta.
4. Special Circle I, Calcutta.	4. Special Survey Circle I, Calcutta.
5. Refund Circle, Calcutta	5. Special Circle II, Calcutta.
6. Howrah.	6. District I (1), Calcutta.
7. 24-Parganas.	7. Non-Companies (I.T. <i>cum</i> E.P.T.) District II, Calcutta.
8. Burdwan-Birbhum	8. District IV(1), Calcutta.
9. Jalpaiguri-Darjeeling.	9. District IV(3), Calcutta
10. Special Survey Circle VIII, Calcutta	10. Special Survey Circle II, Calcutta.
11. District III (1), Calcutta	11. Special Survey Circle III, Calcutta.
12. District VI, Calcutta.	12. District V, Calcutta.
13. Murshidabad-Nadia	13. District I (2), Calcutta.
14. Hooghly	14. Special Survey Circle IV, Calcutta.
15. Special Survey Circle VI, Calcutta	15. Special Survey Circle, X, Calcutta.
16. Special Survey Circle XI, Calcutta	16. District V-A, Calcutta.
17. District III-A, Calcutta	17. Railways & Miscellaneous Salaries Cir- cle, Calcutta.
18. Centrl Salaries Circle, Calcutta	18. District IV (2), Calcutta.
19. Special Survey Circle VII, Calcutta	19. District II (1), Calcutta.
20. Non-Companies (Incometax <i>cum</i> Excess Pro- fits Tax) District I, Calcutta.	20. Special Survey Circle, V, Calcutta.
21. District II(2), Calcutta.	21. Special Survey Circle IX, Calcutta.
22. Foreign Section, Calcutta.	
23. Cooch-Bihar	
24. West Dinajpur -Malda	

Provided that he shall also perform his functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax authority outside his jurisdiction.

[No. 28.]

S.R.O. 912(55/44/56-I.T.).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri J. P. Singh who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the States of Bihar and Orissa:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Singh shall be designated as Commissioner of Income-tax, Bihar and Orissa.

This notification shall be deemed to have taken effect from the forenoon of the 2nd day of April, 1956.

[No. 29.]

S.R.O. 913(55/41/56-I.T.).—In exercise of the powers conferred by sub-section (2) section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in supersession of its notification S.R.O. 854 (No. 27-Income-tax dated the 18th April, 1955) the Central Board of Revenue hereby directs that Shri V. N. Hoon, a Commissioner of Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the States of Hyderabad and Andhra:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Hoon shall be designated as Commissioners of Income-tax, Hyderabad and Andhra.

This notification shall be deemed to have taken effect from the afternoon of the 31st day of March, 1956.

[No. 30.]

B. V. MUNDKUR, Under Secy.

ESTATE DUTY

New Delhi, the 10th April 1956

S.R.O. 914.—In exercise of the powers conferred by sub-section (1) of section 85 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue makes the following amendment to the Estate Duty Rules, 1953, the same having been previously published as required by the said sub-section, namely:—

In the said rules—

In para 5 of Form E.D.—7, the word “interest” shall be omitted.

EXPLANATORY NOTE

[This note is not part of the amendment but is intended to indicate its general purport.]

Where postponement of payment of estate duty leviable in respect of any property is requested on the ground that the duty cannot, without excessive sacrifice, be raised by accountable persons at once, Section 70(1) of the Estate Duty Act, 1953, provides for the levy of interest on the amount of the duty. The charging of such interest is not a penal measure. On the contrary, it is merely a condition on which payment of duty may be postponed for the benefit of the estate.

The imposition of such interest is not, one of the items specified in Section 63 of the Estate Duty Act against which an appeal lies to the Central Board of Revenue. The object of the present amendment is to delete the item of “interest” from the appealable items mentioned in para 5 of the Demand Notice Form.

[No. 23/F.No.27/3/55-ED.]

R. K. DAS, Secy.

LAND CUSTOMS

New Delhi, the 14th April 1956

S.R.O. 915.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Land Customs Act, 1924 (XIX of 1924) read with the notification of the Government of India, in the late Finance Department (Central Revenues) No. 5944, dated the 13th December, 1924, the Central Board of Revenue hereby

makes the following further amendment in its Notification No. 56-Customs, dated the 28th July, 1951, namely:

In the said notification, after the words 'attached to the Headquarters', the words 'and the Circle and Divisional Offices' shall be inserted.

[No. 14.]

W. SALDANHA, Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 11th April 1956

S.R.O. 916.—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the late Ministry of Commerce No. 67-C.W.(25A)/48, dated the 26th March 1949, namely:—

In the said Notification, in sub-paragraph (4) of paragraph 2, after the words and figure "not exceeding 2 yards", the words "or serviettes," shall be inserted.

[No. 46 (34)-CT(A)/52-30.]

V. V. NENE, Under Secy.

(Indian Standards Institution)

Delhi, the 5th April 1956

S.R.O. 917.—In pursuance of the provisions of sub-rule (2) of rule 3 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Indian Standards given in the schedule hereto annexed have been established during the quarter ending 31 March 1956.

THE SCHEDULE

Sl. No.	No. of Indian Standard	Title of Indian Standard
1	2	3
1	IS : 5-1955	Colours for Ready Mixed Paints.
2	IS : 310 (Part II)-1954	Methods of Sampling and Test for Lubricants —Part-II
3	IS : 349-1955	Specification for Lacquer, Cellulose, Clear.
4	IS : 366-1955	Specification for Electric Irons (<i>Tentative</i>).
5	IS : 367-1955	Specification for Electric Kettles for Domestic Use. (<i>Tentative</i>).
6	IS : 459-1955	Specification for Unreinforced Corrugated Asbestos Cement Sheets.
7	IS : 534-1955	Specification for Benzene, Ordinary.
8	IS : 535-1955	Specification for Benzene, Pure, Nitration Grade.
9	IS : 536-1955	Specification for Toluene, Industrial, Solvent Grade.
10	IS : 537-1955	Specification for Toluene, Pure, Nitration Grade.
11	IS : 553-1955	Specification for Rosin (Gum Rosin).
12	IS : 598-1955	Specification for Mercerized Cotton Fabric, Grade 2, for Aircraft.
13	IS : 600-1955	Code of Practice for Construction of <i>Bukhari</i> Type Rural Food Grain Storage Structure.
14	IS : 601-1955	Code of Practice for Construction of <i>Kothar</i> Type Rural Food Grain Storage Structure.
15	IS : 602-1955	Code of Practice for Construction of <i>Morai</i> Type Rural Food Grain Storage Structure.
16	IS : 609-1955	Code of Practice for Improvement of Existing Structures used or intended to be used for Food Grain Storage.
17	IS : 610-1955	Code of Practice for Storage of Food Grain and its Protection during Storage.

1	2	3
18	IS : 611-1955	Code of Practice for Handling of Food Grain in Transit.
19	IS : 628-1955	Specification for Bicycle Pedal Assembly (<i>Tentative</i>).
20	IS : 629-1955	Specification for Bicycle Hub Assemblies. (<i>Tentative</i>).
21	IS : 648-1955	Specification for Electrical Steel Sheets (<i>Tentative</i>).
22	IS : 649-1955	Methods of Testing Electrical Steel Sheets (<i>Tentative</i>).
23	IS : 651-1955	Specification for Salt-Glazed Stoneware Pipes and Fittings.
24	IS : 655-1955	Specification for Metal Air Ducts.
25	IS : 659-1955	Safety Code for Air Conditioning.
26	IS : 660-1955	Safety Code for Mechanical Refrigeration.
27	IS : 661-1955	Code of Practice for Insulation and Safe Operation Cold Storages.
28	IS : 713-1955	Specification for High Purity Zinc and Zinc Base Alloy Ingots for Die Casting.
29	IS : 714-1955	Specification for Cotton Reinforcing Tape for Aircraft.
30	IS : 716-1955	Specification for Pentachlorophenol.
31	IS : 717-1955	Specification for Carbon Disulphide, Technical.
32	IS : 722 (Parts I and II)-1955	Specification for AC Whole-Current Electricity Meters.
33	IS : 727-1955	Specification for Hard Drawn Steel wire for Springs (<i>Tentative</i>).
34	IS : 737-1955	Specification for Wrought Aluminium and Aluminium Alloys, Sheet and Strip (for General Engineering purposes).
35	IS : 743-1955	Method for Determination of Moisture Content in Greasy Wool.
36	IS : 745-1955	Specification for Handloom Cotton Bed Sheets, Grey, Bleached, Dyed or Stripped.
37	IS : 746-1955	Specification for Handloom Cotton Blankets, Grey or Coloured.
38	IS : 747-1955	Specification for Handloom Cotton Bunting Cloth, Dyed.
39	IS : 748-1955	Specification for Handloom Cotton Dhoties, Grey.
40	IS : 749-1955	Specification for Handloom Cotton Dungri Cloth, Grey.
41	IS : 751-1955	Specification for Handloom Cotton Mazri Cloth (Loom State).
42	IS : 752-1955	Specification for Handloom Cotton Muslin, Bleached.
43	IS : 753-1955	Specification for Handloom Cotton Pugri Cloth, Bleached or Dyed.
44	IS : 754-1955	Specification for Handloom Cotton Saries, Bleached, Dyed, Striped, Checked or Printed.
45	IS : 755-1955	Specification for Handloom Cotton Malmal, Bleached.
46	IS : 756-1955	Specification for Handloom Cotton Dosuti, Grey, Scoured, Bleached or Dyed.
47	IS : 761-1955	Specification for Ginger Oil.
48	IS : 790-1956	Specification for General Structure of Preliminary Pages of a Book (<i>Tentative</i>).
49	IS : 791-1956	Specification for Half-Title-Leaf of a Book (<i>Tentative</i>).
50	IS : 792-1956	Specification for Title-Leaf of a Book (<i>Tentative</i>).
51	IS : 793-1956	Practice for Author Statement in the Title-Page of a Book (<i>Tentative</i>).
52	IS : 794-1956	Practice for Table of Contents (<i>Tentative</i>).
53	IS : 795-1956	Canons for making Abstracts.
54	IS : 797-1955	Specification for Common Salt for Chemical Industries.

(Sd.) D. V. KARMARKAR,
Deputy Director (Marks).

[No. MDC/11 (2).]
S. K. PAL, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE*New Delhi, the 9th April 1956*

S.R.O. 918.—The following draft of a further amendment to the Indian Oilseeds Committee Rules, 1947, which the Central Government proposes to make in exercise of the powers conferred by Section 17 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), is published as required by sub-section (1) of the said section, for the information of persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

For rule 27 of the said Rules, the following rule shall be substituted, namely:—

"27. Custody and disbursement of Fund:

- (1) The Committee's money shall be kept within Government account in a banking or a non-banking Treasury of Government and the current balances shall neither be kept outside Government balances nor the surplus balances invested elsewhere. A 'Personal Deposit Account' of the Committee shall be opened within the Government Account and all monies at the disposal of the Committee with the exception of the petty cash shall be paid in that account.
- (2) The monies already placed in fixed deposits or invested in Government securities and the like shall be paid in the 'Personal Deposit Account', as and when these investments mature, and no fresh investments shall hereafter be made.
- (3) Payment by or on behalf of the Committee shall be made in cash or by cheque against the 'Personal Deposit Account' of the Committee. The cheques and all orders for the withdrawal of the deposits or investments shall be signed by the Secretary, Indian Central Oilseeds Committee and President/Vice President/a member of the Society who is specially authorised for the purpose."

[No. F.5-15/55-Com. I.]

MOKAND LALL, Under Secy.

MINISTRY OF HEALTH*New Delhi-2, the 5th April 1956*

S.R.O. 919.—Shrimati Subhadra Joshi, M.P., New Delhi, having resigned her membership of the Delhi Development Provisional Authority as a representative of the Delhi State Government, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health, No. F.30-5/55-LSG, dated the 2nd November 1955, constituting the said Authority namely:—

In the said notification, the entry "6. Shrimati Subhadra Joshi, M.P., New Delhi" shall be omitted.

[No. F.30-16/56-LSG (I).]

S.R.O. 920.—The members of the Lok Sabha having elected Shrimati Subhadra Joshi and Shri Naval Prabhakar, and the members of the Rajya Sabha having elected Shri K. B. Lall, as members of the Delhi Development Provisional Authority in pursuance of sub-section (2) above (g) of section 3 of the Delhi

(Control of Building Operations) Act, 1955 (53 of 1955), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Health No. F.30-5/55-LSG, dated the 2nd November, 1955, constituting the said Authority namely:—

In the said notification, the following items shall be added at the end, namely:—

"10. Shrimati Subhadra Joshi	}	Elected by the members of the
11. Shri Naval Prabhakar		Lok Sabha.
12. Shri K. B. Lall		Elected by the members of the
		Rajya Sabha."

[No. F.30-16/56-LSG.(II).]

A. V. VENKATASUBBAN, Dy. Secy.

New Delhi, the 12th April 1956

S.R.O. 921.—Dr. U. C. Bardoloi, M.B., D.R.C.O.G. (Lond.) D.G.O.L.M. (Dublin), Director of Health Services, Assam, has been nominated by the Government of Assam, as a member of the Dental Council of India with effect from the 22nd March 1956, under clause (e) of Section 3 of the Dentists Act, 1948 (XVI of 1948), vice Dr. Jiba Kanta Saikia, M.B., D.T.M., A.M.S.(Sr.) resigned.

[No. F.6-16/56-M.I.]

K. BIHARI, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 14th April 1956

S.R.O. 922.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay) Rules, 1954, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Transport No. S.R.O. 1862, dated the 7th June, 1954, namely:—

In the said notification, for entries Nos. 7 and 8, the following entries shall be substituted, namely:—

- "7. Mr. H. L. Murray.
- 8. Captain W. H. Dalton."

[No. 15-MS(4)/54.]

S.R.O. 923.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Rules, 1954 the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Transport, No. 15-MS(4)/54, dated the 1st March, 1955, published in the Gazette of India Extraordinary, Part I, Section 1, dated the 1st March, 1955, namely:—

In the said notification, for entry No. 9, the following entry shall be substituted, namely:—

- "9. Captain J. Wharry".

[No. 15-MS(4)/54.]

S. K. GHOSH, Dy. Secy.

MINISTRY OF COMMUNICATIONS

New Delhi, the 11th April 1956

S.R.O. 924.—In pursuance of sub-rule (2) of rule 3 of the Indian Aircraft Rules, 1937, the Central Government hereby authorises the Director General of

Civil Aviation to exercise the powers conferred on the Central Government by sub-rule (3) of rule 134 of the said Rules in so far as they relate to the grant of permits for the operation of non-scheduled air transport services.

[No. AR/1937(19).]

[F. No. 10-A/113-55.]

D. R. KOHLI, Under Secy.

New Delhi, the 12th April 1956

S.R.O. 925.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, the same having been previously published as required by section 14 of the said Act, namely:—

In the said Rules, after rule 5, the following rule shall be inserted, namely:—

“5A. No person shall take an Indian registered aircraft outside India and keep it outside India for a period exceeding 60 days, except with the special permission in writing of the Director General and subject to such conditions and limitations as may be specified in such permission.”

[No. AR/1937(18).]

[F. No. 10-A/69-55.]

T R. MANTAN, Dy. Secy.

New Delhi, the 16th April 1956

S.R.O. 926.—The following draft of a further amendment to the Indian Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by Section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published as required by Section 14 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st August, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified, will be considered by the Central Government.

Draft Amendment

In the said Rules, for Rule 13, the following rule should be substituted, namely:—

“13. *Photographs at Aerodromes or from aircraft in flight.*—No person shall take, or cause or permit to be taken, at a Government aerodrome or from an aircraft in flight, any photograph except in accordance with and subject to the terms and conditions of, a permission in writing granted by the Director-General, a Deputy Director General, the Director of Information and Regulations or a Controller of Aerodromes, of the Civil Aviation Department;

Provided that the Director-General from time to time, by notification in the Official Gazette direct that these restrictions shall not apply to photography at any Government aerodrome or within such limits of any Government Aerodrome as may be specified in the order.”

[No. 10-/65-52.]

S.R.O. 927.—The following draft of a further amendment in the Indian Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published, as required by section 14 of the said Act, for the information of persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration after the 1st August, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

Draft Amendment

In Schedule II to the said Rules, in "Section E-Navigator's Licence", for paragraph 1, the following paragraph shall be substituted, namely:—

"1. Flying Experience—

- (1) An applicant for a second class licence shall be required to produce evidence of having had at least 300 hours' air experience in aircraft engaged in cross-country flights.
- (2) An applicant for a first class licence shall be required to produce evidence of having had at least 600 hours' air experience, not less than 100 hours of this being experience of navigation in the air in aircraft engaged in cross-country flights of which not less than 15 hours shall have been obtained by night.
- (3) In this paragraph, the expression "air Experience" means experience in the air as an operative member of the crew of an aircraft."

[No. 10-A/82-55.]

S. MULLICK, Dy. Secy.

(Posts and Telegraphs)**CORRIGENDUM***New Delhi, the 11th April 1956*

S.R.O. 928.—In S.R.O. 753, published in Part II—Section 3 of the Gazette of India, dated the 31st March, 1956, for the entry "plus 2 anna 6 pies stationery charge" substitute "plus 1 anna 6 pies stationery charge".

[No. R-1-3/56.]

H. C. SHARMA, Under Secy.

MINISTRY OF PRODUCTION*New Delhi, the 9th April 1956*

S.R.O. 929.—Whereas it appears to the Central Government that land in the locality mentioned in the Schedule hereto annexed is needed or likely to be needed for public purpose *viz.* for the prospecting of coal seams for the development of the State Collieries to be worked by the Union of India;

Therefore, notice to that effect is hereby given in accordance with sub-section (1) of section 4 of the Land Acquisition Act, 1894 (1 of 1894).

And in exercise of the powers conferred by sub-section (2) of section 4 of the said Act, the Central Government hereby authorises the Chief Mining Engineer, State Collieries, Ministry of Production, Government of India, and his staff and workmen,—

- to enter upon and survey and take levels of any land in such locality;
- to dig or bore into the sub-soil;
- to do all other acts necessary to ascertain whether the land is adapted for such purpose;
- to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon;
- to make such levels, boundaries and line by placing marks and cutting trenches; and
- where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle.

The index plan of the land may be inspected in the office of the Collector of the district concerned.

Under Section 5-A of the said Act any person interested in any land in the said locality may, within thirty days after the issue of this notification make an objection to the acquisition of the land or of any land in that locality in writing to the Collector of the District concerned.

SCHEDULE

Village	Thana	District	Area
<i>Block 'A'</i>			
(i) Pindarkom (217); (ii) Bara (218); (iii) Hebna (219); (iv) Itke (220); (v) Okea (228); (vi) Jilanga (221); (vii) Ganeshpur (57); (viii) Jala (67); (ix) Seragara (60); (x) Phulbasia (58); (xi) Chamatu (56); (xii) Ara (55);	Balmuat	Palamau	17.03 sq. miles (Approx.) (excluding the working collieries).
<i>Block 'B'</i>			
(i) Honhe (50/207); (ii) Kumarang Khurd (51/208); (iii) Kumarang Kalan (52/209); (iv) Binglar (49/206); (v) Pokla (34/191); (vi) Sarandag (46/203); (vii) Nawakhop (47/204); (viii) Panchanra (48/205); (ix) Chattihariatu (14); (x) Jordag (15); (xi) Sijfua (53/210); (xii) Bukru (55/212); (xiii) Ursu (54/211);	Barkagaon	Hazaribagh	9.48 sq. miles (Approx.) excluding working collieries).
<i>Block 'C'</i>			
(i) Lukuia (92/249); (ii) Jorhad (93/250); (iii) Jhulundia (91/248); (iv) Dambua (90/247); (v) Ilcnjda (94/251); (vi) Kutki (95/252); (vii) Benti (97/254); (viii) Piparwar (80/237);	Barkagaon	Hazaribagh	8.98 sq. miles (Approx.) (excluding the working collieries).
<i>Block 'D'</i>			
(i) Hendag (31); (ii) Iindigir (90); (iii) Binja (34); (iv) Chhapar (33); (v) Churugara (32);	Burmu	Ranchi & Hazaribagh	3.83 sq. miles (Approx.) (excluding the working collieries).
<i>Block 'E'</i>			
(i) Pachra (85); (ii) Ray (18); (iii) Durdu (19); (iv) Hasir (86); (v) Kirigara (84);	Barkagaon	Hazaribagh & Ranchi	10.06 sq. miles (Approx.) (excluding working collieries).

SCHEDULE

Village	Thana	District	Area
<i>Block 'F'</i>			
(i) Saradu (29/186);	Barkagaon	Hazaribagh	11.64 sq. miles (Approx.) (excluding the working collieries).
(ii) Gonda (63/220);			
(iii) Raham (62/219);			
(iv) Chirua (72/229);			
(v) Tandwa (58/215);			
(vi) Laranga (73/230);			

[No. C2-7(5)/55.]

A. NANU, Dy. Secy.

CORRIGENDUM

New Delhi, the 11th April 1956

S. R. O. 930.—In the Schedule to S. R. O. 756, published in Part II—Section 3 of the Gazette of India dated the 31st March, 1956, for the entries under the headings “Villages” and “Thana”, substitute the following :—

Village	Thana
Palani (119)	Gumia
Mahlibandh (113)	
Bhurkunwatanr (114)	
Kathhara (117)	
Bandh (118)	
Jhirki (120)	
Borca (115)	Dumri

[No. C2-6(1)/56.]

K. N. NAGAR, Under Secy.

MINISTRY OF REHABILITATION

New Delhi, the 10th April 1956

S.R.O. 931.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri Sewak Ram Anand as Settlement Officer for the purpose of performing the functions assigned to such officer by or under this said Act.

The Central Government also appoints the said Shri Sewak Ram Anand as Additional Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act.

[No. 6/5/56-S11.]

T. R. CHOPRA, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 10th April 1956

S.R.O. 932.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946), the Central Government hereby exempts the Mechanical Workshop in Hirakud from the provisions of the said Act.

[No. L.R.II/59-1(4)/56.]

New Delhi, the 12th April 1956

S.R.O. 933.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947) read with sub-section (3) of section 23A of the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950) the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow:—

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, LUCKNOW

PRESENT

Sri Ilias Ahmad, *Chairman.*

Misc. CASE NO. III-C 932/54 U/S 23 CGIT 13/55

Raghunath Dass s/o Shri Ram Chand, Nlmak Mandi, Kucha Tellian, Amritsar—*Applicant.*

Versus

The Central Bank of India, Ltd., Bombay—*Opposite Party.*

Dated the 28th February 1956

DECISION

This is an application under section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950, by Shri Ragunath Dass. Shri Narindernath Bhasin and Shri Kedarnath Nagpal have submitted similar applications and their applications are subject matter respectively of case Nos. 67/55 and 73/55. The points for determination in all these three applications are similar. I am, therefore, going to dispose of this case and the other two cases by this decision.

There are certain facts of about the correctness of which there is no dispute and I may state them first. In January, 1952, an industrial dispute concerning certain Banks, including the opposite party, and their workmen was referred by the Government of India to the all India Industrial Tribunal presided over by Shri S. P. Shastri. The Shastri Tribunal gave its award which was published in the Gazette of India. Both the parties to the dispute went in appeal which appeal too has now been decided. The applicants were working as godown keepers and their services were declared surplus and were terminated.

The case of the applicant is that when their services were terminated, the appeal was pending and in order to terminate their services the permission of the Honourable Appellate Tribunal was necessary and so there has been a contravention of the provisions of section 22 as no permission was obtained. They were permanent godown keepers and so their services could not have been declared surplus. Besides this the principle of "Last come first go" was not applied as their juniors were permitted to continue to work while their services were terminated. In brief termination of their services was wrong and unjust.

In view of the above case the applicants seek reinstatement with payment of full back wages and other privileges.

The case of the opposite party is that when the services of the applicants were terminated, no appeal was pending and so it was not necessary to obtain any permission and thus there has been no contravention of the provisions of section 22. The applicants were temporary godown keepers and so it was not necessary to obtain permission in order to terminate their services. The applicants were temporary employees appointed for specific purpose and their services were rendered surplus and were dispensed with as the accounts under their supervision had been adjusted and therefore they were not required. The applicants were junior most among the temporary godown keepers and their services were terminated in keeping with the principle of "Last come first go".

In view of the above case the opposite party contends that all the three applications should be dismissed.

Let us see whether the services of the applicants were terminated during the pendency of the appeal. It has been admitted before me that the appeal was decided on 28th April, 1954. In view of the provisions of sections 15 and 17 of the Industrial Disputes (Appellate Tribunal) Act, 1950, the pendency of the appeal continued right up to 28th May, 1954. The applicants' services were respectively terminated on 20th May 1954, 7th May 1954 and 20th May, 1954, that is at a time when there was a pendency of the appeal. So in due course the permission of the Honourable Appellate Tribunal was necessary if the applicants were permanent and not temporary hands.

We have now to see whether the applicants were permanent or temporary hands. Godown keepers they were but the question is whether they were permanent godown keepers or temporary ones. There are certain documents which may throw light on this point. While accepting his appointment Raghunath Das applicant clearly admitted that this appointment was temporary and

his services could be terminated at any time. While confirming his appointment Chief Agent also mentioned Raghunath Dass applicant as temporary godown keeper, *vide* annexure 2 and 4 of the opposite party in this case. Narender Nath Bhasin too in his letter of appointment is described as temporary godown keeper and it is clearly mentioned in that letter that the appointment was surely on temporary basis. While accepting his appointment he also clearly said that it was temporary and liable to be terminated at any time when the Banks decided that he was no longer required *vide* annexure 5 and 4 of the opposite party in case No. 67/55. We find the same sort of the documentary evidence as regards Kedarnath Nagpal applicant as well, *vide* annexure 2 and 3 of the opposite party in case No. 73/55. I take the contents of the documents mentioned above as genuine. So there can be no doubt as regards correctness of the case of the opposite party. I therefore take it that the applicants were temporary hands and so in order to terminate their services the permission of the Honourable Appellate Tribunal was not necessary.

Let us for a while assume that such a permission was necessary and the provisions of section 22 have been contravened. Then we have to look into the matter and find out whether the services of the applicants were rightly or wrongly declared surplus and were terminated. There is no doubt that due to transfer of accounts to the rival Banks there was not let any other account to be looked after by the applicants at their out stations and so these out stations had to be closed. Thus the services of the applicant were rendered surplus and were terminated. The applicants were temporary hands. The out stations where they were working had to be closed. Evidently then there were no vacancies at the time of the closure of these out stations. In these circumstances if the services of the applicants were declared surplus and were terminated I do not think any fault can be found with the opposite party.

It has been contended on behalf of the applicants that people junior to them were permitted to work and their services were dispensed with and so the principle of "Last come first go" was not applied and followed. This principle, no doubt, has to be followed unless exceptional circumstances justify a departure from it. Only one or two junior persons were retained but there were valid reasons for their retention. So I can not say that the Principle relied upon has been ignored.

We may look at the applications from any point of view but we will have to come to the conclusion that they should fail.

This application under section 23 fails and is disallowed and the same is the case with the applications which are subject matter of Cases Nos. 67/55 and 73/55. Costs on the parties. A copy of this decision is to be placed on the record of case No. 67/55 and 73/55.

Before I part with the case I wish to mention one fact. The Chief Agent, who argued the case on behalf of the opposite party, was prepared to take back the applicants if the applicants brought required guarantee letters from Investing Agents. It was pointed out on behalf of the applicants that if not impossible it was very very difficult to get such letters. So the matter ended there. I can not give any directions but I should like to recommend the applicants to the Chief Agent to re-employ them if they bring the necessary letters of guarantee from the Investing Agents.

(Sd.) ILIAS AHMAD.

[No. LR-4(20)/56-I.]

S.R.O. 934.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (XIV of 1947) read with sub-section (3) of section 23A of the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow.

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, LUCKNOW

PRESENT

Sri Ilias Ahmad, *Chairman*.

MISC. CASE No. III-C 931/54, U/S 23, CGIT 14/55.

Shri Bhim Sen Goel, s/o Shri Duli Chand c/o Bhagat Ram Har prasad, Approcha Road, Rohtak.—*Applicant*.

Versus

The Central Bank of India Ltd., Bombay.—*Opposite Party*.

Dated, the 29th February 1956

DECISION

This is an application under section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950.

There are certain facts about the accuracy of which there is no dispute and I may state them first. They are as follows:—In January, 1952, an industrial dispute, concerning certain Banks, including the opposite party and their workmen was referred by the Government of India to the all India Industrial Tribunal presided over by S. P. Shashtri. The Shashtri Tribunal gave its award which was published in the gazette of India. Both the parties went in appeal against this award to the Honourable Appellate Tribunal. The appeal has now been decided. The applicant was working at Mullanpur out station under the Ludhiana office of the opposite party and was incharge of the godown for storing goods. On the 13th of December, 1953, Shri Hari Dev, a representative of the opposite party's Investing Agent M/S Rekhi Ram Sat Dev, went to Mullanpur for inspection and found the applicant absent. A complaint was lodged by the Investing Agents and they demanded the termination of the services of the applicant forthwith. A charge sheet was drawn against the applicant to the effect that he was found absent when Shri Hari Dev went to make inspection and that he had also left the keys of the godown in the possession of the parties. The applicant submitted an explanation saying that he was attacked by severe colic pain and therefore went to Ludhiana for treatment and was absent for a few hours which absence was unavoidable and that he had the keys with him and never gave them to any of the parties. An enquiry was held by the Chief Agent. The result of the enquiry was against the applicant and his services were terminated on 21st May, 1954.

The case of the applicant is that his services have been wrongly and unjustifiably terminated and also without the necessary permission and therefore he is entitled to reinstatement with payment of full back wages and other privileges.

The case of the opposite party is that when the services of the applicant were terminated no appeal was pending and therefore it was not necessary to obtain permission and that the applicant was a temporary employee and so, even if it is assumed that the appeal was pending, it was not necessary to obtain permission for terminating his services. The further case of the opposite party is that the applicant had left the station without obtaining permission and had also left the keys with the parties and therefore the termination of his services was right and there was nothing wrong in it.

Let us see whether the services of the applicant were terminated during the pendency of the appeal. It has been admitted before me that the appeal was decided on 28th April, 1954. In view of the provisions of sections 15 and 17 of the Industrial Disputes (Appellate Tribunal) Act, 1950, the pendency of the appeal continued right up to 28th May, 1954. The applicant's services were terminated on 20th May 1954, that is at a time when there was pendency of the appeal. So in due course the permission of the Honourable Appellate Tribunal was necessary if the applicant was a permanent and not a temporary hand.

We have now to see whether the applicant was a permanent or temporary hand. Godown keeper he was no doubt but the question is whether he was a permanent godown keeper or temporary. So far as documents are concerned there is only one on the point under consideration namely annexure 6 of the opposite party which is letter from the Chief Agent to the Officer in-charge, The Central Bank of India Ltd, Uklana. It is dated 20th November 1951. In this letter the applicant is mentioned as a temporary godown keeper. The contents of the letter show that the Chief Agent had the interest of the applicant at his heart and there was no occasion to give a wrong description of the post of the applicant. I therefore take it that the applicant was a temporary hand. This being so the permission of the Honourable Appellate Tribunal was not necessary.

Let us for a while assume that such a permission was necessary and the provisions of section 22 have been contravened. Then we will have to look into the matter and find out whether the applicant's services were wrongly or rightly terminated. It is admitted that the applicant was absent when Shri Hari Dev went to make inspection. According to his case the applicant was away from Mullanpur for 4 hours only. He might have been away for a much longer period. Admittedly he should not have left his station without permission, but he did. So there is no doubt that he was at fault. It may well be said that the mistake was not such which called for the termination of the services of the applicant and a warning might have been sufficient. In this connection we can not ignore

the fact that complaint was made by the Investing Agents and they demanded the termination of the services of the applicant. In these circumstances, therefore, the Chief Agent, who held the enquiry rightly concluded that the services of the applicant should terminate. So far as the charge of the giving of the keys to the parties is concerned, I do not think that it has been established. Any way that does not affect the case much.

We may look at the application from any point of view but we will have to come to the conclusion that it should fail.

This application under section 23 accordingly fails and is disallowed. Costs on the parties.

(Sd.) ILIAS AHMAD,

[No. LR-4(20)/56-II.]

New Delhi, the 14th April 1956

S.R.O. 935.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the Industrial dispute between the employers in relation to Messrs. Shaw Wallace and Co., Ltd., and their workmen in the Pench Valley Coalfield.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE No. 22 OF 1955

PRESENT

Shri P. S. Bindra, B.A., LL.B., *Chairman.*

PARTIES

The employers in relation to Messrs. Shaw Wallace & Co. Ltd.

and

Their workmen in the Pench Valley Coalfield.

APPEARANCES

For the Employers:

Shri S. S. Sharma, Auditor.

For the Workmen:

Dr. Mrs. Seeta Parmanand, President, **Rashtriya Koyala Khandan Mazdoor Sangh.**

Shri Shyamlal and

Shri Abdur Rehman in person.

AWARD

The Government of India, in the Ministry of Labour, by Order No. S.R.O. 1753 dated 3rd August 1955 [L.R.2(140)/54] has referred to this Tribunal for adjudication the industrial dispute between the employers in relation to Messrs. Shaw Wallace & Co. Limited and their workmen in the Pench Valley coalfields in respect of the following matters:—

“Alleged victimisation by transfer and/or reduction in rank of the following workmen and the relief, if any, to which they are entitled:

- (i) Shri Shyamlal—transferred from Chandametta workshop to Burhar colliery.
- (ii) Shri Abdur Rehman—transferred from Datla West colliery to Chandametta workshop and reduced in rank.
- (iii) Shri Prakash Narayan Verma—transferred from Bhamoni Colliery to Rawanwara colliery.”

2. Shyamlal Valmik states in his written statement that he was appointed by Messrs. Shaw Wallace & Co. as an apprentice on 22nd June 1945 in the Chandametta workshop, that he was promoted to the post of a Miller after about two

years and that he was drawing Rs. 2-4-0 as basic salary per day at the time of his transfer to Burhar colliery. He further states that he was working as a Miller on a milling machine in the Chandametta workshop but was transferred to Burhar colliery on 8th December 1954 in Vindhya Pradesh where there was no milling machine. He further states that he was an Executive Member of the INTUC at Chandametta and that the transfer was not effected in the ordinary course but with an ulterior motive. He has pointed out that Shri S. S. Sharma, Labour Officer of the company has established a rival union which is for the benefit of Messrs. Shaw Wallace & Co., that Shri Sharma several times insisted on his resigning from the INTUC union and that as he has refused to do so, he was transferred to harass him. He has also alleged that Shri Sharma tried to entrap him under the Goondas Act but did not succeed, and that he got a complaint filed by Guman Singh a Chowkidar of the company against him. He further states that when he was transferred to Burhar colliery he pointed out to the management that a criminal case in which he was a complainant was being tried at Chhindwara court and that it will be very difficult for him to attend the case from a distance of 700 miles but no heed was paid to his request. He further stated that there was no work for a Miller to be done at Burhar colliery but still he was transferred to that colliery while in the Chandametta workshop two shifts were working, which required two millers, but there was no miller except himself. It is contended that he was transferred simply to sever his relations with the INTUC union at Chandametta.

3. The employers have replied that a new colliery at Amlai (Vindhya Pradesh) three miles from Burhar was opened, therefore the management hurried up the installation of machinery at the mine so that it could go into production at once and that consequently an urgent necessity was felt to send some trained technical hands to Burhar to cope with the increased work. It is further pointed out that Electricians, Engineers, Sirdars, Overmen and Mechanics, were transferred to Burhar and Shri Shyamlal Valmik was one of them. It is stated that the petitioner having 10 years experience in the Central Workshop as a Miller was considered competent to work on the planing and lathe machines under the guidance of the expert there. It is further stated that in fact Shri Shyamlal belongs to Vindhya Pradesh the same district to which he was transferred. It is also alleged that the petitioner had previously made requests several times to transfer him to Vindhya Pradesh.

4. Shri Shyamlal has put himself in the witness box and stated that he worked for six years as a Miller at the Chandametta workshop and that there was no other Miller at Chandametta when he was transferred. He also stated that there was no milling machine at Burhar and that he joined Burhar colliery on 10th December, 1954. What happened afterwards resulting in his dismissal is not relevant to the present enquiry as the present reference is regarding his transfer only and not regarding his dismissal. He stated that he applied for leave to attend the court cases, as there used to be a hearing after every 6 or 8 days, but was replied that he will have to attend to his duties and no more leave will be granted to him and at last the company informed him that he will not be continued in service. There was no charge sheet and no inquiry. He maintained that he was transferred because he was a worker of INTUC union and the transfer was effected to break the organisation. He also stated that Shri Sharma once told him that he should not work for the INTUC and that he will be duly rewarded. He also pointed out that Guman Singh an employee of the company was doing propaganda work and he brought a false case of assault against him which was dismissed. He also stated that he was born at Chandametta where he owned a house and lands and had in fact never lived in Vindhya Pradesh and had no connection with Vindhya Pradesh. During cross-examination it was brought out that Kashir Ram Marar and Kashi Ram Ahir, two apprentice millers were working at Chandametta workshop at the time of his transfer though there were no regular miller at the workshop. He also stated that he never asked the management to transfer him to Vindhya Pradesh. Kashi Prasad Kanayalal Varma examined as A.W. 2 states that he has been working as an Electric Welder in the Chandametta workshop for the last 12 or 13 years and that the Joint Secretary of the INTUC union and has been its member for the last 10 or 12 years. He further states that Shyamlal is a member of the Executive Committee of the Union for the last three years and he has been transferred only because he was an active member of the Union and was doing organisational work. He however states that Shri Sharma was a member of the INTUC and he tried to be elected as a President in the 1953 election of the Union but failed. The record of the proceedings marked Exhibit 26 however shows that he was elected as a member of the Advisory Board but never stood for presidentship. Shri Baldev Prasad Sharma was elected as the President. He further pointed out that Shri Sharma had started a union under

the name of "Pench and Kanan Valley Technical Staff and Workers Union" and its election took place on 16th May 1954. He stated that in this election Kamal Singh was elected as the President and he (the witness) was elected as Vice-President and then Sharma told them that they could not hold the offices unless and until they resigned from the membership of the INTUC but they refused to leave INTUC in preference to this union. This fact has not been denied in the rebuttal evidence. So it is evident that Shri Sharma was taking interest in the rival union and was acting against the INTUC union. A.W. 3 Ram Prasad Visvakarma states that he is also a member of the INTUC. He further states that at first Shri Sharma and Shri Baldev Prasad (President of the INTUC) were working jointly in the INTUC but owing to certain reasons there was a split and Shri Sharma created his own union (Pench Valley and Kanan Valley Technical Staff and Workers Union). He further pointed out that for the last 1½ to 2 years the relations between the said two became strained, and since the friction between the two, cases of transfer and dismissals increased. He further states that the meeting for the election of the President of the "Pench Valley and Kanan Valley Technical Staff and Workers Union" took place on 16th May, 1954 which was conducted under the Presidentship of Shri Sharma. It was brought forth in the cross-examination that 10 to 12 workmen had been transferred from Chandametta workshop since the friction between the said two leaders. A.W. 4 Abdul Rehman states that he was elected as a member of the Executive Committee in the election which took place on 16th May 1954 and he was told by Shri Sharma along with others that they could not hold offices of the new union unless they resigned from the INTUC but they declined.

5. In rebuttal Shri Daram Nayak Chotelal Jaiswal, Assistant Mechanical Engineer examined as R.W. 1 stated that at the time of transfer of Shyam Lal, Shri Madhavan, Chief Mechanical Engineer consulted him as to whether Shyam Lal could work as a turner to which he replied in the affirmative. He further stated that the transfers were effected under the orders of the Chief Mechanical Engineer but admitted during cross-examination that transfer were made under the signatures of the Chief Mechanical Engineer and Shri Sharma, Internal Auditor who is in charge of administration. He also admitted that there was no milling machine at Burhar to which place Shyam Lal was transferred. He however stated that they wanted to send efficient workmen to Burhar and so Shyam Lal was transferred to Burhar workshop. He further stated that there is an Industrial School at Chandametta where turning, fitting and blacksmithy are taught, and the training period is three years. Shyam Lal has passed this examination. He further stated that according to his experience a person who has passed this examination is fit to work independently as a fitter or turner or miller. He further pointed out that they engaged turners and millers as fitters and fitters as turners or millers. I agree with him that a person having got the requisite training can work in any of those jobs, but if a person has worked all along as a miller, he would not be able to work so efficiently as a fitter or a turner for sometime. It was stated that he was transferred as they wanted efficient hands at Burhar but Shyam Lal who mostly worked as a miller could not be said to be an efficient turner or a fitter. Transfer of a turner would have been more appropriate. In this connection, order of transfer marked Exhibit 18 tells a different story where it is written that he was transferred as a *miller* to Burhar colliery. It is however proved that there was no milling machine at Burhar. As there was no milling machine at Burhar the management has now put forward the plea that though he had to work as a turner at Burhar, but as he was an efficient hand, he was transferred. This is in direct conflict with the transfer order. Shri Sunderlal Parasar R.W. 2 states that Shyam Lal in his presence requested Shri Sharma to transfer him to Rewa Coalfields as he was implicated in some cases and that the request was repeated after one year. In the same breath he stated that Shyam Lal also manufactures lamps used in the mines and has got a bullock cart which is employed for transporting explosives at Chandametta colliery for which he gets Rs. 15 per month. He also stated that he gets grain concession for transporting explosives. This shows that his interest lay in remaining at Chandametta and not in going to a far off place. The fact that criminal cases were pending against him, also required his presence at the station. These facts clearly falsify the theory that he himself requested for transfer. It has also been proved that he did not belong to Vindhya Pradesh but he belonged to Chandametta where he owned a house and lands. The witness further stated that he (the witness) was first transferred in 1939 from one office to another at Chandametta within a distance of one mile and then he was transferred to Parasia and from Parasia he was transferred to Junnordce from where he was transferred to Khirsadeh and from there to Umaria in Rewa Coalfields. I agree with him that the management has got every right of transfer, because the liability to transfer is an ordinary incident of service, but if a transfer is effected

with some, ulterior motive then the transfer can be set aside. He also stated that in 1950 he was elected as the Secretary of the Pench Valley and Kanan Valley Clerical and Technical Staff and Workers Union when it was started and that he was previously working with INTUC but that he ceased to have any connection with INTUC since 1½ years. In cross-examination it has been brought out that when he was transferred to Umaria he worked there for a month and then took leave for one month and then got it extended upto five months. After this he was transferred to Parasia. In October 1954 he was transferred to Chandametta, but as soon as he joined at Chandametta he left INTUC and joined Pench Valley and Kanan Valley Technical Staff and Workers Union and was posted as a clerk under Shri Sharma. This may be only a coincidence but it can be argued with equal force that his transfer back to Chandametta was effected after he had agreed to leave INTUC. He also admitted that Shri Sharma attended three or four meetings of the Pench Valley Union and it cannot therefore be denied that Shri Sharma has been taking part in the in-charge of administration. This dual role is not desirable. Either he should not deal with transfers, dismissals and promotions of the workmen or he should give up his union activities. When there are two rival unions, the best thing to do is to keep aloof from both the unions. Considering the evidence as a whole, I have no doubt that in the present case, Shyamal has been transferred not because it was in the interest of the work of the company but on account of his union activities. It is a case of victimisation. So I hold that the transfer of Shyamal from Chandametta to Burhar colliery was an act of victimisation. I can however grant no relief to him because he was subsequently dismissed and the matter of dismissal does not form the subject matter of the present reference. It has also been argued before me that he being a dismissed workman his case cannot be taken up by the union. It is true that an industrial dispute cannot be raised by a dismissed workman himself but a union can raise a dispute regarding a dismissed workman as laid down in 1956-I-L.L.J. 319, 1952-II-L.L.J. 834 and 1952-II-L.L.J. 481.

6. *Abdur Rehman*.—The first point for determination is as to whether he is a workman or not within the meaning of Section 2(s) of Industrial Disputes Act, 1947. *Abdur Rehman* states that he was appointed in 1947 and at the time of his transfer he was working as Engineer-in-Charge of the collieries. He was made Engineer-in-Charge in the year 1952 and was getting Rs. 150 per mensem as his basic salary at the time of the disputed transfer. He stated that Shri Madhavan, Chief Mechanical Engineer and Shri Jaiswal, Engineer were above him. During cross-examination he however admitted that at the time of his transfer there were two engineers named Gulab and Pasua working under him. There were also several fitters working under him besides about 125 workmen working under him in the pits. He admitted that the fitters worked under Gulab but he instructed Gulab and Gulab distributed the work among the workmen in the mechanical department. He however maintained that he was a workman because whenever any machinery was out of order he used to repair it. He also stated that he opened the boiler for washing it out and did the work with the assistance of a helper. He however admitted that fitters were working under him and they were fully trained fitters. He however contended that fitters could not repair the haulages which he did. He however stated that on the whole he had to do work with his own hands three or four times in a week. In cross-examination he admitted that repairs which could not be done at the spot were done at the Chandametta workshop, and sometimes the workers from Chandametta workshop had to come to the pits to effect repairs. He added that the engineer or the foreman who came from the workshop to the pits, effected the repairs with his help and the help of his workmen. Reading the evidence as a whole, it is clear that ordinarily he had to do nothing with his own hands but in case of intricate repairs effected in the pits he helped the fitters and the engineers from the central workshop. Giving such a help at times does not reduce a Engineer to a workman. It is now a settled principle of law that the nature of the primary or main duties attached to a particular office determines the character of the holder of the office as to whether he is or he is not a workman within the meaning of Section 2(s) of the Act. Help in case of a break-down or some intricate repairs is a work of an ancillary nature and his main duties were supervisory. The management has cited 1955-I-L.L.J. 418 and 1955-I-L.L.J. 429 which support then. Under the circumstances, I find that he is not a workman within the meaning of Section 2(s) of the Industrial Disputes Act, and therefore no relief can be granted to him.

7. So far as *Prakash Narayan Varma* is concerned, he was working as an overman at the time of his transfer at Rawanwara colliery. He was a shift overman and his duties were the same as defined in Bye-laws 37 to 56 which

are mainly supervisory. He has however stated that it was also his duty to find out whether a roof is sound or not by tapping with his stick. This aspect of the question has been discussed in detail by my learned predecessor Shri L. P. Dave in paragraphs 10 at 18 of his award respecting Reference No. 35 of 1951 published by Government of India, in the Ministry of Labour, under Notification No. S.R.O. 870 dated 28th April 1953. He came to the conclusion that the overmen employed in the collieries were not workmen within the meaning of Section 2(s) of the Act. For the reasons given in the said award which may be considered as a part of this award, I hold that Shri Prakash Narayan Varma was not a workman at the time of his transfer and therefore I can grant no relief to him.

8. I pass my award according to the findings given above respecting Shri Shyamlal, Shri Abdur Rehman and Shri Prakash Narayan Varma.

P. S. BINDRA, *Chairman.*

Central Govt's. Industrial Tribunal, Dhanbad.

The 31st March, 1956.

[No. LR II-2(140)/54.]

New Delhi, the 16th April 1956

S.R.O. 936.—In pursuance of paragraph 3 of the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the Ministry of Labour No. PF.15(5)/48, dated the 11th December, 1948, the Central Government hereby nominates Shri B. P. Pathak, Secretary to the Government of Madhya Pradesh, Labour Department, Nagpur to the Board of Trustees and makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2227, dated the 5th October, 1955, namely:—

In the said notification, for the entry “(6) Shri L. S. Titus, Assistant Labour Commissioner, Madhya Pradesh, Nagpur”, the entry “(6) Shri B. P. Pathak, Secretary to the Government of Madhya Pradesh, Labour Department, Nagpur” shall be substituted.”

[No. PF.4(26)/56.]

S.R.O. 937.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), Calcutta, in the matter of an application under section 33A of the said Act from Shri Md. Ishaque of Serampur Colliery.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

APPLICATION NO. 7 OF 1956 U/S 33A OF THE ACT

PRESENT

Shri J. N. Majumdar—*Chairman.*

Shri S. P. Chopra—*Member.*

Shri T. N. Mallappa—*Member.*

PARTIES'

Md. Ishaque, Workman of Serampur Colliery, Giridih, District Hazaribagh Bihar—*Applicant.*

Versus

The Employers, Serampur Colliery, P.O. Giridih, Eastern Railway—*Opposite Party.*

APPEARANCES

Shri S. Sinha Roy—*For Applicants.*

Shri A. K. Mukherjee—*For Opposite Party*

AWARD

Dated the 12th March, 1956

This is an application by Md. Ishaque under Section 33-A of the Industrial Disputes Act, 1947 against his employers. The Serampur Colliery, P.O. Giridih being the opposite party. The case of the applicant is that he was a workman in the employment of Serampur Colliery. In November, 1949 he was suspended, whereafter without holding any enquiry the employers dismissed him from service in April, 1950. On the 25th February, 1954 a communication was sent to the applicant stating that his order of dismissal stood cancelled but that he would remain under suspension till his case was finalised. Subsequent to the withdrawal of the dismissal order the applicant made representations demanding reinstatement and wages for the period under suspension from the 18th November, 1949. While the wages for the period 19th November, 1949 to March, 1950 were paid to the applicant the wages for the period from April, 1950 onwards were not paid. After April, 1955 it is alleged by the applicant that the opposite party stopped all the negotiations. On these facts the applicant has alleged that the provisions of Section 33 of the Industrial Disputes Act, 1947 have been contravened and that this Tribunal should decide the complaint and pass such order or orders thereon as it may deem fit and proper. Shri S. Sinha Roy appearing for Md. Ishaque was asked what in concrete form his prayer was. He stated that Mohd. Ishaque was still in service but was not being paid. Further when asked the time when the suspension or dismissal took place he could not give any date within the period of the existence of the present Tribunal but could only point out the fact that after April, 1955 negotiations with the applicant of the opposite party ceased and that the wages for the period after that date had not been paid.

The opposite party in reply has stated that the applicant was a junior overman and his duties being of a supervisory nature, he could not be deemed to be a workman under the Industrial Disputes Act. Further it is stated that provisions of Section 33 have not been contravened as the action taken against the applicant was during the period prior to the reference to the present Tribunal. The opposite party has also given reasons for the action taken against the applicant, the details whereof are unnecessary for the purpose of the present order.

The applicant has not been able to make out a case showing any contravention of Section 33 as there was no action on the part of the management after 25th February, 1955 that could be considered to be in the nature of an infringement of Section 33.

The suspension of the applicant had been brought forward from an earlier period and there was no question of any fresh action having been taken against him.

On the question of whether the applicant was a workman or a supervisor no decision is necessary as even if he were taken to be a workman the application under Section 33A does not lie in view of the facts stated above.

In the result the application is dismissed.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) S. P. CHOPRA, *Member.*

(Sd.) T. N. MALLAPPA, *Member.*

[No. LR II-55-2(2)/56-I.]

S.R.O. 938.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), Calcutta, in the matter of an application under section 33A of the said Act from Mrs. Adulan, Hospital Dai of Jarangdih Colliery.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

20/1, Gurusaday Road, Calcutta-19.

APPLICATION No. 52 OF 1955 U/S 33A OF THE ACT

PRESENT

Shri J. N. Majumdar—*Chairman.*

Shri S. P. Chopra—*Member.*

Shri T. N. Mallappa—*Member.*

PARTIES

Mrs. Adulan, Hospital Dai, Jarangdih Colliery, P.O. Bermo, District Hazaribagh—*Applicant.*

Versus

The Manager, Jarangdih Colliery, P.O. Bermo, District Hazaribagh—*Opposite Party.*

APPEARANCES

Shri Ajit Roy Mukherjee—*For the Applicant.*

Shri A. K. Mukherjee—*For the Opposite Party.*

AWARD

Dated the 15th March 1956

This is a complaint under Section 33-A of the Industrial Disputes Act, 1947 by Mrs. Adulan, Hospital Dai, Jarangdih Colliery, the Applicant, against the Manager, Jarangdih Colliery, P.O. Bermo, District Hazaribagh, the opposite party. The complainant alleges that her conditions of service have been adversely affected in that she has been suspended from service for the past four and a half months pending investigation of her case which has not yet been done and that she was required to vacate quarters that she had been occupying for a decade and a half. The opposite party states that the applicant was not entitled to the quarter which she had been occupying and that when the quarter in question was required for another employee entitled to the same she was asked to vacate the quarter and was allotted a quarter of type 'I' which she was entitled to. It is further alleged that the applicant having refused to carry out the orders of the opposite party in spite of sufficient notice to vacate the quarter having been given she was placed under suspension with a view to having the quarter vacated. It was, however, the intention of the opposite party to take proper action against the applicant after obtaining permission of the Hon'ble Tribunal.

During the course of the arguments Mr. A. Roy Mookerji on behalf of the applicant alleged that a quarter of the type 'I' was not in existence in the Colliery under consideration. He further argued that she had been staying in that quarter for a number of years as the quarter was nearest to the type of a quarter that she was entitled to. The applicant has further stated that the order to vacate the quarter is withdrawal of a privilege once again. At the time of the allotment no understanding was given to the effect that the allotment was subject to a review at a later stage. In any case suspension from service amounted to a substantial change of service and this had been done without a charge sheet and without permission from the Tribunal. Even when an appeal was sought to be made to the Chief Mining Engineer the same was withheld. Counsel for the applicant decided to rely on the evidence on record and did not lead any further evidence.

The opposite party represented by Mr. Arun K. Mookerji produced Mr. B. R. Pai to depose on the facts of their case.

When asked to show the Rules on the basis of which vacation of the quarter had been ordered it could not be shown. Mr. B. R. Pai has stated that Mrs. Adulan, was not entitled to the quarter that she was occupying but was entitled to a quarter of type 'I'. In cross-examination, however, he could not give the description of a quarter of any type because of which the counsel of the complainant submitted that this evidence should not be relied upon.

On the facts of the case the opposite party has not been able to make out a case to show that Mrs. Adulan was entitled to a smaller quarter than the one she was occupying. Satisfactory explanation could not be given for the applicant being allowed to stay in the quarter for as long as a decade and a half.

The main question, however, is whether Section 33 of the Industrial Disputes Act has been infringed or not. The Chief Mining Engineer seems to be aware of the fact that permission of the Tribunal is necessary before punishment can be given to a workman. This is borne out from Annexure 'D' to the statement of the applicant. This Annexure has not been denied by the opposite party. It appears, however, from the statement of the opposite party that they seemed to have been of the opinion that the action so far taken against the applicant did not amount to violation of section 33 of the Industrial Disputes Act. This is not correct as suspension from service is obviously a punishment and it would come within the purview of section 33 of the Industrial Disputes Act.

Further records do not show that any formal enquiry was held before this punishment was awarded to the applicant. Even if the contention of the opposite party is taken as correct that the applicant was not entitled to the quarter which she was occupying it was necessary to hold a formal enquiry in order to consider the point of view of the applicant. In the circumstances of the case we consider that the order of suspension is not justified.

In the result it is directed that the suspension of the applicant be cancelled and that she be paid for the period during which she had been kept suspended.

(Sd.) J. N. MAJUMDAR, *Chairman*.

(Sd.) S. P. CHOPRA, *Member*.

(Sd.) T. N. MALLAPPA, *Member*.

[No. LRII-55-2(2)/56-II.]

S.R.O. 939.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), Calcutta, in the matter of applications under section 33A of the said Act.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

APPLICATION No. 39/55, 12/55 u/s 33A AND 20/55 u/s 33.

PRESENT

Shri J. N. Majumdar—*Chairman*.

Shri S. P. Chopra—*Member*.

Shri T. N. Mallappa—*Member*.

PARTIES

APPLICATION No. 39/55 u/s 33A

Shri Bhuban Singh, c/o Bihar Colliery Mazdoor Sangh, Ranipur Branch,
P.O. Saltore, District Manbhum—*Applicant*.

Versus

Management of Ranipur Colliery under Messrs. Equitable Coal Co., Ltd.,
P.O. Dishergarh, District Burdwan—*Opposite Party*.

APPLICATION No. 12/55 u/s 33A

1. Shri Radha Routh,

2. Shri Barmeshwar Upadhyaya,

3. Shri Paresh Singh,

4. Shri Pundeo Singh,

c/o Bihar Colliery Mazdoor Sangh, Ranipur Branch, P.O. Saltore District
Manbhum—*Applicant*.

Versus

Management of Ranipur Colliery under Messrs. Equitable Coal Co., Ltd.,
P.O. Dishergarh, District Burdwan—*Opposite Party*.

APPLICATION No. 20/55 u/s 33

Management of Ranipur Colliery under Messrs. Equitable Coal Co., Ltd.,
P.O. Dishergarh, District Burdwan—*Applicant*.

Versus

1. Shri Akhoy Roy,

2. Shri Radha Routh,

3. Shri Gangadhar Singh,

4. Shri Barmeshwar Upadhyaya,

5. Shri Pundeo Singh,

6. Shri Bhuban Singh,

7. Shri Paresh Singh—*Opposite Party*.

All of them are Munshis also known as tub checkers of Ranipur Colliery,
P.O. Saltore, District Manbhum (Bihar).

APPEARANCE

For Workmen—

Shri D. L. Sen Gupta, Advocate.

For the Company—

Shri K. B. Bose, Barrister-at-Law,

assisted by—

Shri S. K. Bhattacharyya, Chief Welfare Officer of the Company.

AWARD

Dated the 10th March, 1956

The above 3 applications are heard together by consent of parties.

Application No. 20/55 is an application filed under Section 33 of the Industrial Disputes Act, 1947 by the Management of the Ranipur Colliery against seven of its employees, viz. (1) Akhoy Roy, (2) Radha Routh, (3) Gangadhar Singh, (4) Barmeshwar Upadhyay, (5) Pundoo Singh, (6) Bhubon Singh, and (7) Parash Singh. The case against the respondents is that they are Munshis, also known as Tub Checkers who report the number of tubs of coal actually raised, but that they have not only been over-reporting about the number of tubs actually cut but also they were reporting falsely that some of the coal cut is pick coal, which is paid at a higher rate, though the coal cut is of an inferior quality. After preliminary enquiry charge-sheets were served and regular enquiry was held on the 13th April, 1955 by Shri S. K. Bhattacharyya, the Chief Welfare Officer of Messrs. Macnill & Barry Ltd.'s collieries. The respondents were present at the enquiry and they cross-examined the witnesses. Their statement was also recorded, and full opportunity was given to them to contest the case. The enquiring officer came to the conclusion that the respondents were guilty of misconduct complained against them and under the circumstances permission is prayed for their dismissal.

Application No. 12/55 is by 4 out of 7 respondents referred to above while Application No. 39/55 is another application by one of them. These applications are applications under Section 33A complaining that they have been suspended from the 4th May, 1955 without the permission of this Tribunal and praying for relief under Section 33A of the Industrial Disputes Act.

It is not disputed by the applicants in these two applications that an enquiry in their presence was held and that they had every opportunity to cross-examine the witness concerned. Moreover, before us Mr. H. R. Fox, who was at the time Manager of Ranipur Colliery, as well as Mr. Bhattacharyya who held the enquiry were examined. It is clear from their evidence that during the enquiry the applicants were present, cross-examined the witnesses and had every opportunity to contest the case.

The contention of the respondents in Application No. 20/55 is that the petition of the Company is irregular, *malafide* and misconceived, and that the alleged enquiry was directed with the purpose and motive of finding the petitioners guilty and thus to give an excuse for termination of their service. The witnesses that were examined are stated to have been all falsely tutored and are said to be men under the influence of the Company. It is contended that the underground Munshis are required to write the underground Rough Raising Report in the relevant columns of the verbal instruction of the Overman or Sirdar-in-Charge, or the Section Assistant who are responsible for work in the working face and the Munshi's Report so noted is signed by the Munshi, Overman or Sirdar-in-Charge and the Section Assistant endorsing the same, while the petitioners as Munshis have nothing to do with the system of work, working face, cutting of coal therein, and are exclusively meant to work in the loading line. It is argued that the petitioners were threatened with dire consequences if they did not leave the Union formed by them with Sri Darshan Singh as Vice-President. In support of this case Darshan Singh and Parash Nath Singh have given evidence before us.

To take up the point of victimisation first, Mr. H. R. Fox who was the Manager at the time has sworn that there was no trouble or disturbance between him and

the Union of workers and that there was no incident between the two rival unions. Darshan Singh in his evidence has stated that he is the Vice-President of a Union. He does not say that there was any misunderstanding between his union and the company. There is nothing in the evidence of the other witnesses examined in the case to show that there was any motive for the Company to get rid of any one of the respondents under any circumstances. It cannot, therefore, be said that the Company was actuated by any motives as ascribed to them.

As regards the next point whether it is the work of the tub checker Munshis to actually check how many tubs are actually cut, there is the evidence of the Manager, Mr. Fox, that such is their duty. There is no reason to doubt his evidence. The evidence of one of the respondents, namely Parash Nath Singh is that they are called Tub Checkers and not Munshis. This very name shows that their work is tub-checking. The evidence of the two witnesses of the opposite party is that the tub-checkers cannot over-report, as there is a counter check about the number of tubs sent down the mine and those that are sent up. It is, however, admitted that money is paid for tubs loaded even if they are retained underground and not merely on the basis of tubs loaded and sent up. So there is thus no substance in this contention raised in evidence and not taken up in the statements.

There has been proper enquiry and it has been found that the respondents are guilty of dishonestly over-reporting the number of tubs of coal cut is of a quality higher than what it really is. It may be stated here that the quality of the coal may be intimidated by his superior to the Munshi Tub Checker and he may not know it. This may be so, but this does not prevent him from falsely reporting that the coal cut is of a higher quality. There is no substance in the contention that the enquiry held in which the respondents were found guilty was not a *bonafide* one. We are satisfied on the evidence that the case against the respondents has been proved and there was no *malafides* on the part of the company. We therefore grant permission as sought in Application No. 20/55 under Section 33 and dismiss the two applications under Section 33-A.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) S. P. CHOPRA, *Member.*

(Sd.) T. N. MALLAPPA, *Member.*

[No. LR II-55-2(2)/56-III.]

S.R.O. 940.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), Calcutta, in the matter of applications under section 33A of the said Act.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES) CALCUTTA

APPLICATION NOS 27, 28, AND 30 OF 1955 (U/S 33A OF THE ACT)

PRESENT

Shri J.N. Majumdar—*Chairman.*

Shri S.P. Chopra—*Member.*

Shri T.N. Mallappa—*Member.*

PARTIES

APPLICATION NO. 27 OF 1955 U/S 33A

Shri Hanif and 20 others—*Applicants.*

Vs.

The Management of Victoria West Colliery, P.O. Barakar, Distt. Burdwan—*Opp. Party.*

Serial No.	Names	Designation	Address
1	Md. Hanif	Trammer	C/o. Sri S.N. Jha, Victoria West Colliery, P.O. Barakar, Burdwan.
2	Babuzan Mia	Do.	Do.
3	Intap Mia	Do.	Do.
4	Immon Mia	Do.	Do.
5	Mafiz Mia	Do.	Do.
6	Osman Mia	Do.	Do.
7	Marman Mia	Do.	Do.
8	Karoo Mia	Do.	Do.
9	Bara Aziz Mia	Do.	Do.
10	Karlmon Mia	Do.	Do.
11	Ch. Aziz Mia	Do.	Do.
12	Sovan Mia	Do.	Do.
13	Akloo Mia	Do.	Do.
14	Birjoo Mia	Do.	Do.
15	Safik Mia	Do.	Do.
16	Abdul Hussain Mia	Do.	Do.
17	Chulahan Mia	Do.	Do.
18	Nathuni Sonar	Do.	Do.
19	Bhola Bourl	Do.	Do.
20	Rakho Hari Bouri	Do.	Do.
21	Gopal Bouri	Do.	Do.

APPLICATION NO. 28 OF 1955 U/s 33A.

Shri Nabab Mia and 19 others—*Applicants*.**Vs.**The Management of Victoria West Colliery—*Opp. Party*.

Serial No.	Names	Designation	Address
1	Nabab Mia	Trammer	C/o. Sri S.N. Jha, Victoria West Colliery, P.O. Barakar, Burdwan.
2	Haso Mia	Do.	Do.
3	Maho Mia	Do.	Do.
4	Bora Suleman Mia	Do.	Do.
5	Barik Mia	Do.	Do.
6	Akloo Mia	Do.	Do.
7	Edan Mia	Do.	Do.
8	Tiloki Mahato	Do.	Do.
9	Rahim Mia No. 1	Do.	Do.
10	Bara Abdul Mia	Do.	Do.
11	Bara Issaque	Do.	Do.
12	Miazan Mia	Do.	Do.
13	Bara Sultan Mia	Do.	Do.
14	Bara Sovan Mia	Do.	Do.
15	Bara Chhotan Mia	Do.	Do.
16	Khado Mia	Do.	Do.
17	Abdul Rajak	Do.	Do.
18	Bara Mohammed	Do.	Do.
19	Bara Gafur Mia	Do.	Do.
20	Md. Suleman	Do.	Do.

APPLICATION NO. 30 OF 1955 U/S 33A.

Shri Badri Mia and 19 others—*Applicants.**Vs.*The Management of Victoria West Colliery—*Opp. Party.*

Serial No.	Names	Designation	Address
1	Badri Mia	Trammer	C/o. Sri S. N. Jha, Victoria West Colliery, P.O. Barakar, Burdwan.
2	Ibrahim Mia	Do.	Do.
3	Issaque Mia	Do.	Do.
4	Ch. Chhoton Mia	Do.	Do.
5	Tufani Mia	Do.	Do.
6	Subjan Mia	Do.	Do.
7	Bakos Mia	Do.	Do.
8	Chhotu Mia	Do.	Do.
9	Lal Mohammed	Do.	Do.
10	Ch. Rahim No. 11	Do.	Do.
11	Liakat Mia	Do.	Do.
12	Sarif Mia	Do.	Do.
13	Zafar Mia	Do.	Do.
14	Ch. Issaque	Do.	Do.
15	Nobi Mia	Do.	Do.
16	Sobratu Mia	Do.	Do.
17	Abdul Gani Mia	Do.	Do.
18	Rahim Box	Do.	Do.
19	Habiulla Mia	Do.	Do.
20	Ch. Sovan Mia	Do.	Do.

APPEARANCES

Shri D.L. Sen Gupta—*For the applicant*Shri K.B. Bose—*For the Opp party.*

AWARD

Dated the 12th March, 1956

These are the three applications under section 33A of the Industrial Disputes Act 1947 by the workers abovenamed against the management of the Victoria West Colliery. Written Statements have been filed by the opposite party in all the three applications. But it is not necessary to go into the merits of the disputes raised in view of the joint petition of the parties which runs as follows:

“ That the parties abovenamed have reached a settlement of the above applications in term of the following:

1. The rate per tub for Bottom seam in question shall be 0-3-9 ples upto 100 tubs. After 100 tubs the rate may be revised mutually.
2. If the number of trammers exceed an average 21 per shift calculated on weekly basis and on all the three shifts the matter will mutually reviewed and rates increased accordingly.
3. If the basic per day goes below -/12/- it shall be brought to -/12/- basic per day.
4. The agreement shall not be considered as precedent.
5. This interim agreement will be in force till the results of All India Industrial Tribunal (Colliery Disputes) is out.

It is therefore, humbly prayed that your Lordship will be graciously pleased to make an Award in terms of above agreement".

Under the circumstances a common award is passed in all the three applications on the terms stated above.

(Sd.) J. N. MAJUMDAR *Chairman.*

(Sd.) S. P. CHOPRA, *Member.*

(Sd.) T. N. MALLAPPA, *Member.*

[No. LR II-55-2(2)/56-IV.]

R. C. SAKSENA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi-2, the 16th April 1956

S.R.O. 941.—In exercise of the powers conferred by sub-section (2) section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled "Hell's Horizon", produced by M/s Columbia Pictures Corporation, U.S.A. shall be deemed to be an uncertified film in the whole of India.

[No. 8/5/56-FC.]

New Delhi-2, the 16th April 1956

S.R.O. 942.—It is hereby notified for general information that the name of Shri Radha Raman, a member of the first Advisory Panel of the Central Board of Film Censors at Bombay having been determined by lot under the proviso to sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the said member shall retire with effect from the 1st March, 1956.

[No. 14/1/55-FC.]

S.R.O. 943.—In exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the Central Government hereby appoints, after consultation with the Central Board of Film Censors, Shri Radha Raman as a member of the Advisory Panel of the said Board at Bombay with effect from the 21st April, 1956.

[No. 14/1/55-FC.]

D. KRISHNA AYYAR, Under Secy,